REMARKS

In response to the Final Office Action dated March 8, 2007, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. A Request for Continued Examination is being filed with this Amendment. Applicants respectfully submit that the claims as presented are in condition for allowance. Prior to entry of this response, Claims 3, 10-15, 18-40, 42, 44-47, and 51-75 were pending in the application, of which Claims 15, 26, 40, 42, 44, 51, and 62 are independent. In the Final Office Action dated March 8, 2007, Claims 3, 10-15, 18-40, 42, 44-47, and 51-68 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 3, 10-15, 18-40, 42, 44-47, and 51-75 remain in this application. Applicant hereby addresses the Examiner's rejections in turn.

I. Interview Summary

Applicants thank Examiner Ouellette for the courtesy of a telephone interview on August 1, 2007, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references do not render obvious the claims as currently amended. No agreement was reached regarding patentability.

II. Rejection of Claims 3, 10-15, 18-40, 42, 44-47, 51-66, and 69-75 Under 35 U.S.C. § 103(a)

In the Final Office Action dated March 8, 2007, the Examiner rejected Claims 3, 10-15, 18-40, 42, 44-47, 51-66, and 69-75 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0002552 ("*Schultz*") in

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view of "CellPoint and Webraska Join Forces" ("*CellPoint*") in view of U.S. Published

Patent Application No. 2002/0087408 ("*Burnett*"). Claims 15, 26, 40, 42, 44, 51, and 62

have been amended, and Applicant respectfully submits that the amendments

overcome this rejection and add no new matter.

Amended Claim 15 is patentably distinguishable over the cited art for at least the

reason that it recites, for example, that the "wherein receiving the measured location

information comprises the processor being configured to: receive a telephone number

for use in identifying a street address with a zip code, query a geographic information

system with the street address information, and receive from the geographic information

system the latitude and longitude of the street address." Amended Claims 26, 40, 42,

44, 51, and 62 each includes a similar recitation. Support for these amendments can be

found in the specification at least in paragraph [0021].

Consistent with embodiments of the present invention, a user's measured

location information can be determined by a location-based yellow pages service. (*See*

specification, paragraph [0020], lines 3-4.) In addition, the measured location

information can be determined by a network and then used by the location-based yellow

pages service. (*See* specification, paragraph [0020], lines 4-6.) Network systems can

determine user measured location information by identifying a street address based on

a phone number and then querying a geographic information system with the street

address information. (*See* specification, paragraph [0020], lines 6-10.) The geographic

information system can return a latitude and longitude of a street address/phone

number. (See specification, paragraph [0020], lines 10-11.) For example, the user

measured location information may be determined via a user-entered fixed-location

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telephone number and an automatic location database. (*See* specification, paragraph [0020], lines 11-14.)

In contrast, *Schultz* at least does not disclose advertiser entries presented in the following order: i) advertiser entries in the same telephone exchange as the user's location; ii) advertiser entries in the same ZIP code as the user's location; iii) advertiser entries in the same area code as the user's location; and iv) advertiser entries in the same LATA as the user's location. For example, *Schultz* merely discloses that a user submits a search request via a computer network to a search engine, via a kiosk, a voice recognition telephony, a touch screen, a wireless device, or any other technology that will act as an interface between a user and a computer network. (*See* paragraph [0040].) *Schultz's* search request includes location data, an information query, and geographic criteria. (*See* paragraph [0040].) *Schultz's* location data provides information on the user's geographic location. (*See* paragraph [0040].) In *Schultz*, while various geographic location data are disclosed, basing the location data on a telephone number is not disclosed. Accordingly, *Schultz* does not disclose a measured location information based on identify a street address with a zip code based on a telephone number and including a latitude and longitude for the street address.

Moreover, *CellPoint* does not overcome *Schultz's* deficiencies. *CellPoint* merely discloses live navigation services based on cellular telephone GSM positioning. (*See* Abstract.) Like *Schultz*, *CellPoint* does not disclose a measured location information based on identify a street address with a zip code based on a telephone number and including a latitude and longitude for the street address. This is because, like *Schultz*, *CellPoint* is silent regarding locations based on telephone numbers.

Furthermore, *Burnett* does not overcome *Schultz's* and *CellPoint's* deficiencies. *Burnett* merely discloses that a consumer who has selected a specific product, or has prepared a short acceptable alternatives list, will generally want to know where they can buy them and how much they will cost. (*See* paragraph [0025].) The consumer, according to *Burnett*, will want to know the availability and pricing of the desired product or service, preferably from several retailers so that comparisons can be made. (*See* paragraph [0025].) In selecting a preferred retailer, the consumer, according to *Burnett*, may want to consider the retailer's location (physical or online address), the retailer's operating hours (if relevant), and available payment options. (*See* paragraph [0025].) According to *Burnett*, the traditional source of this information is business directories, such as the Yellow Pages. (*See* paragraph [0025].) On the Internet the sources of retailer information include business directories, reseller locators and bots or agents as stated by *Burnett*. (*See* paragraph [0025].) Consequently, like *Schultz* and *CellPoint*, *Burnett* does not disclose a measured location information based on identify a street address with a zip code based on a telephone number and including a latitude and longitude for the street address. Rather *Burnett* merely discloses that, in selecting a preferred retailer, the consumer may want to consider the retailer's location.

Combining *Schultz* and *CellPoint* with *Burnett* would not have led to the claimed invention because *Schultz, CellPoint,* and *Burnett,* either individually or in any reasonable combination, at least do not disclose "wherein receiving the measured location information comprises the processor being configured to: receive a telephone number for use in identifying a street address with a zip code, query a geographic information system with the street address information, and receive from the geographic

information system the latitude and longitude of the street address," as recited by amended Claim 15. Amended Claims 26, 40, 42, 44, 51, and 62 each includes a similar recitation. Accordingly, independent Claims 15, 26, 40, 42, 44, 51, and 62 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 15, 26, 40, 42, 44, 51, and 62.

Dependent Claims 3, 10-14, 18-25, 27-39, 45-47, 52-61, 63-66, and 69-75 are also allowable at least for the reasons described above regarding independent Claims 15, 26, 40, 42, 44, 51, and 62, and by virtue of their respective dependencies upon independent Claims 15, 26, 40, 42, 44, 51, and 62. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 3, 10-14, 18-25, 27-39, 45-47, 52-61, 63-66, and 69-75.

III.   Rejection of Claims 67 and 68 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 67 and 68 under 35 U.S.C. § 103(a) as being unpatentable over *Schultz* in view of *CellPoint* in view of *Burnett* further in view of U.S. Published Patent Application No. 2002/200688585 ("*Chan*"). Dependent Claim 67 is patentably distinguishable over the cited art for at least for the reason that it includes, due to its dependency on amended independent Claim 15, "wherein receiving the measured location information comprises the processor being configured to: receive a telephone number for use in identifying a street address with a zip code, query a geographic information system with the street address information, and receive from the geographic information system the latitude and longitude of the street address."

Dependent Claim 68 is patentably distinguishable over the cited art for at least for the reason that it includes a similar recitation due to its dependency on amended independent Claim 51.

Consistent with embodiments of the present invention, a user's measured location information can be determined by a location-based yellow pages service. (See specification, paragraph [0020], lines 3-4.) In addition, the measured location information can be determined by a network and then used by the location-based yellow pages service. (See specification, paragraph [0020], lines 4-6.) Network systems can determine user measured location information by identifying a street address based on a phone number and then querying a geographic information system with the street address information. (See specification, paragraph [0020], lines 6-10.) The geographic information system can return a latitude and longitude of a street address/phone number. (See specification, paragraph [0020], lines 10-11.) For example, the user measured location information may be determined via a user-entered fixed-location telephone number and an automatic location database. (See specification, paragraph [0020], lines 11-14.)

As stated above, Schultz at least does not disclose advertiser entries presented in the following order: i) advertiser entries in the same telephone exchange as the user's location; ii) advertiser entries in the same ZIP code as the user's location; iii) advertiser entries in the same area code as the user's location; and iv) advertiser entries in the same LATA as the user's location. For example, Schultz merely discloses that a user submits a search request via a computer network to a search engine, via a kiosk, a voice recognition telephony, a touch screen, a wireless device, or any other technology

that will act as an interface between a user and a computer network. (*See* paragraph [0040].) *Schultz's* search request includes location data, an information query, and geographic criteria. (*See* paragraph [0040].) *Schultz's* location data provides information on the user's geographic location. (*See* paragraph [0040].) In *Schultz*, while various geographic location data are disclosed, basing the location data on a telephone number is not disclosed. Accordingly, *Schultz* does not disclose a measured location information based on identify a street address with a zip code based on a telephone number and including a latitude and longitude for the street address.

In addition, as stated above, *CellPoint* does not overcome *Schultz's* deficiencies. *CellPoint* merely discloses live navigation services based on cellular telephone GSM positioning. (*See* Abstract.) Like *Schultz*, *CellPoint* does not disclose a measured location information based on identify a street address with a zip code based on a telephone number and including a latitude and longitude for the street address. This is because, like *Schultz*, *CellPoint* is silent regarding locations based on telephone numbers.

Furthermore and as stated above, *Burnett* does not overcome *Schultz's* and *CellPoint's* deficiencies. *Burnett* merely discloses that a consumer who has selected a specific product, or has prepared a short acceptable alternatives list, will generally want to know where they can buy them and how much they will cost. (*See* paragraph [0025].) The consumer, according to *Burnett*, will want to know the availability and pricing of the desired product or service, preferably from several retailers so that comparisons can be made. (*See* paragraph [0025].) In selecting a preferred retailer, the consumer, according to *Burnett*, may want to consider the retailer's location

(physical or online address), the retailer's operating hours (if relevant), and available payment options. (*See* paragraph [0025].) According to *Burnett*, the traditional source of this information is business directories, such as the Yellow Pages. (*See* paragraph [0025].) On the Internet the sources of retailer information include business directories, reseller locators and bots or agents as stated by *Burnett*. (*See* paragraph [0025].) Consequently, like *Schultz* and *CellPoint, Burnett* does not disclose a measured location information based on identify a street address with a zip code based on a telephone number and including a latitude and longitude for the street address. Rather *Burnett* merely discloses that, in selecting a preferred retailer, the consumer may want to consider the retailer's location.

Moreover, *Chan* does not overcome *Schultz's, CellPoint's,* and *Burnett's* deficiencies. *Chan* merely discloses an intelligent mobile information system. For example, *Chan* discloses automatically searching required local information for an information user. (*See* Abstract.) *Chan* can use the information user's personal profile, position history, and query history to generate a next set of information user's required local information. (*See* Abstract.) An information search list in *Chan* can also be generated based on the information user profile. (*See* Abstract.) According to *Chan*, the disclosed local information accessing system and method will be useful if the information user is mobile and do not have enough time to search the web. (*See* Abstract.) Like *Schultz, CellPoint,* and *Burnett, Chan* at least does not disclose a measured location information based on identify a street address with a zip code based on a telephone number and including a latitude and longitude for the street address. Rather *Chan* discloses a search list based on a user profile.

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Combining *Schultz*, *CellPoint*, *Burnett*, *and Chan* would not have led to the claimed invention because *Schultz*, *CellPoint*, *Burnett*, *and Chan*, either individually or in combination, at least do not disclose "wherein receiving the measured location information comprises the processor being configured to: receive a telephone number for use in identifying a street address with a zip code, query a geographic information system with the street address information, and receive from the geographic information system the latitude and longitude of the street address", as included in dependent Claim 67. Dependent Claim 68 includes a similar recitation. Accordingly, dependent Claims 67 and 68 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of dependent Claims 67 and 68.

IV.   Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any

such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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